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14 County Employees' Retirement System

15 UNITED STATES DISTRICT COURT
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17 NORTHERN DISTRICT OF CALIFORNIA
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19 SAN FRANCISCO DIVISION

20 BOARD OF RETIREMENT OF THE
IMPERIAL COUNTY EMPLOYEES'
21 RETIREMENT SYSTEM,

22 Plaintiff,

23 v.

24 FRANKLIN TEMPLETON INVESTOR
SERVICES, LLC, FRANKLIN/TEMPLETON
25 DISTRIBUTORS, INC., TEMPLETON
INSTITUTIONAL FUNDS, AND DOES 1
26 THROUGH 50,

27 Defendants.
28

Case No. 3:17-cv-01784-JCS

**SECOND STIPULATION AND
[PROPOSED] ORDER EXTENDING
DATE TO RE-FILE MOTION TO
DISMISS IN ORDER TO FINALIZE
PENDING SETTLEMENT**

Judge: The Hon. Jon S. Tigar
Courtroom: 9, 19th Floor

1 WHEREAS, on April 18, 2017, the above-captioned action was assigned to United States
2 District Judge Jon S. Tiger. ECF 15;

3 WHEREAS, by Stipulation on April 18, 2017, the parties requested that the Court extend
4 Defendants' time to re-file their motion to dismiss the Complaint ("the Motion"), previously filed
5 before Magistrate Judge Joseph C. Spero, in order to facilitate the parties' settlement discussions;

6 WHEREAS, by Orders dated April 18, 2017 and April 25, 2017, this Court extended the
7 time for the parties to submit a schedule for re-filing the Motion and for briefing thereon to May 26;

8 WHEREAS, the parties have reached a settlement in principle and wish to have an
9 additional thirty (30) days to complete the settlement documentation and to perform the terms of
10 such settlement.

11 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
12 respective parties hereto, subject to the approval of the Court, that:

13 The parties shall have an additional 30 days from May 26, 2017 to June 26, 2017, to file a
14 dismissal with prejudice or, in the event settlement is not finalized, a proposed extension or a
15 proposed hearing date and briefing schedule for the Motion.

16 **SO STIPULATED.**

17 Dated: May 25, 2017

ARNOLD & PORTER KAYE SCHOLER LLP

19 By: /s/ Gilbert R. Serota

20 GILBERT R. SEROTA
ALISON C. EPSTEIN

21 *Attorneys for Defendants Franklin Templeton Investor*
22 *Services, LLC, Franklin/Templeton Distributors Inc.,*
23 *and Templeton Institutional Funds*

24 Dated: May 25, 2017

HANSON BRIDGETT LLP

26 By: /s/ Raymond F. Lynch

27 RAYMOND F. LYNCH
MATTHEW J. PECK

28 *Attorneys for Board of Retirement of the Imperial*
County Employees; Retirement System

1 **~~PROPOSED~~ ORDER**


2 The parties having so stipulated and good cause appearing, **IT IS HEREBY ORDERED**
3 that:

4 The parties shall have an additional thirty (30) days from May 26, 2017 to June 26, 2017, to
5 file a dismissal with prejudice or, in the event settlement is not finalized, a proposed extension or a
6 proposed hearing date and briefing schedule for the Motion.

7 The Court does not anticipate granting any further extensions.

8 **IT IS SO ORDERED.**

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10 DATED: June 8, 2017



11 THE HONORABLE JON S. TIGAR
12 UNITED STATES DISTRICT JUDGE
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